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March 13, 2017

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex parte* presentation in WC Docket Nos. 13-97, 04-36, 07-243; CC Docket No. 99-200; PS Docket No. 10-255

Dear Ms. Dortch:

On March 9, 2017, Reed Hundt and the undersigned met with Dan Kahn, Ann Stevens, and Bill Andrie of the Competition Policy Division. The purpose of the meeting was to discuss Onvoy Spectrum, LLC's ("Onvoy Spectrum") pending Petition requesting that the Commission waive certain of its rules imposing requirements on applicants for initial numbering services.¹ Later in the day the undersigned spoke via telephone with Charles Mathias of the Wireless Bureau to apprise him of the Petition.

We opened the meeting with an overview of Onvoy Spectrum's prior meetings with Commission Staff and close coordination with the E911 community and various Public Safety Answering Points regarding the Petition. In response to questions, we explained that the Wireline Competition Bureau has previously used its delegated authority to issue waivers on numbering administration issues.² This Petition similarly relates to highly technical numbering administration issues, so it is appropriate for the Bureau to exercise its delegated authority to grant the Petition.

We also discussed the reasons that this issue is particularly appropriate for resolution via the waiver process. First, as noted in the Petition, the waiver process allows the Commission to assess each applicant on a case-by-case basis using criteria that enables it to exercise oversight and ensure that any applicants are indeed able to provide the contemplated services in the public

¹ *Wireline Bureau Seeks Comment on Onvoy Spectrum, LLC Petition for Waiver of Section 52.15(g)(2) of the Commission's Rules Regarding Access to Numbering Resources*, DA 16-1442 (Dec. 22, 2016); *see also* Petition of Onvoy Spectrum, LLC for Waiver, WC Docket No. 13-97 et al. (filed Dec. 19, 2016) (hereinafter "Petition").

² *See, e.g., Order and Declaratory Ruling*, DA 17-86 (Jan. 18, 2017) (Wireline Competition Bureau granting a waiver of certain sections of the Commission's rules to allow a provider of direct video calling customer support services to access the telecommunications relay service Numbering Directory).

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interest.³ This aligns with the Commission's previously expressed preference for a fact-based waiver approach as opposed to broader alternatives.⁴ Second, as detailed in the Petition, Onvoy Spectrum satisfies the Commission's waiver requirements: the cellular tower requirement is inapposite in the context of a solution that need not connect to cellular towers and Onvoy Spectrum has exhausted alternative avenues to implement its proposed solution.⁵ Finally, as demonstrated by the commenters' unanimous support for the Petition, Onvoy Spectrum's solution is squarely in the public interest because it provides an alternative solution for non-voice devices to reliably reach the 9-1-1 system while not interfering with existing emergency services infrastructure.

Please direct any questions to the undersigned.

Sincerely,

/s/ Gerard J. Waldron

Gerard J. Waldron

Counsel for Onvoy Spectrum, LLC

cc: Mr. Daniel Kahn
Ms. Ann Stevens
Mr. Bill Andrie
Mr. David Furth
Mr. Tim May
Mr. Charles Mathias

³ See Petition at 12–15 (listing a set of proposed criteria for waiver applicants).

⁴ See *Numbering Policies for Modern Communications et al., Report and Order*, 30 FCC Rcd. 6839, 6881, ¶ 84 (June 22, 2015) (declining to provide blanket, nationwide authorizations for VoIP Positioning Center providers to access *p*-ANIs).

⁵ See Petition at 10–12.